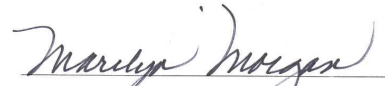




Bruce G. MacIntyre, WA Bar No. 18984  
[BMacIntyre@perkinscoie.com](mailto:BMacIntyre@perkinscoie.com)  
**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Telephone: 206.359.8000  
Facsimile: 206.359.9000  
*Pro hac vice*

The following constitutes  
the order of the court. Signed January 14, 2008

  
Marilyn Morgan  
U.S. Bankruptcy Judge

Ed Wes, CA Bar No. 180252  
[EWes@perkinscoie.com](mailto:EWes@perkinscoie.com)  
**Perkins Coie LLP**  
101 Jefferson Drive  
Menlo Park, CA 94025-1114  
Telephone: 650.838.4300  
Facsimile: 650.838.4350

Attorneys for Debtor and Debtor-in-Possession  
Tripath Technology, Inc.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re  
TRIPATH TECHNOLOGY, INC.,  
Debtor.

CASE NO. 07-50358 (MM)  
Chapter: Chapter 11

**ORDER APPROVING AND DENYING SECOND INTERIM APPLICATION OF  
PERKINS COIE LLP FOR PAYMENT OF ATTORNEY FEES AND COSTS**

THIS MATTER came before the Court for hearing on January 8, 2008,  
appearances having been noted on the record, the Court having read and considered the Second  
Interim Fee Application of Perkins Coie LLP for Payment of Attorney Fees and Costs (the  
"Second Application") for the period from July 1 through October 31, 2007. No objections were  
filed with respect to the Second Application. After due deliberation and being fully advised in the  
premises, and good cause appearing therefore, **IT IS HEREBY ORDERED** as follows:

1. The fees and costs sought in the Second Application are hereby reduced and  
approved and allowed as follows, with all amounts not approved being without prejudice to the

1 right of the applicant to file such supplemental materials as it may wish with respect to requested  
2 compensation or otherwise respond to the reductions directed by the Court. In the event such  
3 supplemental materials are filed, the Court will consider those materials and issue one or more  
4 separate orders.

5 A. A number of entries for time recorded by legal assistant Mary Lou Maag  
6 appear to record activities that are clerical in nature and therefor not compensable.  
7 Those time entries are dated July 2, 12, 19 and 26; August 9; September 1, 5, 12  
8 and 24; and October 10, 11 and 22. The total reduction for the foregoing entries is  
9 \$1,360.

10 B. The August 13 time entry for legal assistant Corina Rachina also appears to  
11 record activities that clerical in nature, as well as “clumping.” For this entry the  
12 Court will deduct a total of \$75.

13 C. There are entries for intra-office conferences on August 6, 8, 27 and 29.  
14 Absent explanation for the necessity of these intra-office conferences,  
15 compensation for these entries totaling \$1,008 is not approved at this time.

16 D. Time entries attributed to preparation of fee applications exceed the  
17 Court’s 5% guideline and the Court hereby reduces the amount of compensation  
18 allowed under this category by \$2,529.

19 E. Time entries totaling \$1008 on August 2, September 12, September 14 and  
20 October 7 use the term “attention to” without providing sufficient explanation or  
21 information concerning the legal services provided. These entries therefore lack  
22 sufficient detail to be allowed at this time.

23 2. Perkins Coie seeks \$44,889 in fees for services performed with respect to potential  
24 litigation that may be undertaken on behalf of the estate. Related time entries include substantial  
25 time reviewing documents and an August 24, 2007 entry concerning the drafting a memorandum  
26 by J. Nickovich analyzing certain issues related to this potential litigation. Counsel for the Debtor  
27 may submit, under seal for the Court's *in camera* review, a copy of the memorandum to assist the  
28 Court in determining allowable fees pursuant to the Second Fee Application. Neither submission

1 of the memorandum nor the Court's review thereof shall in any way prejudice or constitute  
2 waiver or result in forfeiture of any applicable attorney client privilege or attorney work product  
3 protection in any fashion and all such privileges and doctrines are expressly preserved as if no  
4 submission or review had taken place. The Court will issue a separate order following review of  
5 the memorandum.

6 3. The Second Application is approved on an interim basis in the amounts of  
7 \$109,709.50 for fees and \$5,552.92 for expenses. The Debtor is authorized and directed to make  
8 payment to Perkins Coie in the total amount of one hundred fifteen thousand, two hundred sixty-  
9 two dollars and forty-two cents (\$115,262.42). All fees requested in the Second Application not  
10 approved herein are denied without prejudice.

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12 \*\*\* END OF ORDER \*\*\*  
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## COURT SERVICE LIST

Bruce G. MacIntyre, Esq.  
Perkins Coie LLP  
1201 Third Avenue, 40th Floor  
Seattle, WA 98101-3099  
Telephone: 206-359-8000  
Facsimile: 206-359-9000  
[BMacIntyre@perkinscoie.com](mailto:BMacIntyre@perkinscoie.com)

Office of the U.S. Trustee  
280 South First Street  
San Jose, California 95113  
Telephone: 408-535-5525  
Facsimile: 408-535-5532

S. Jason Teele, Esq.  
Lowenstein Sandler, PC  
65 Livingston Avenue  
Roseland, New Jersey 07068  
Telephone: 973-597-2500  
Facsimile: 973-597-2400  
[slevine@lowenstein.com](mailto:slevine@lowenstein.com)  
[jsteele@lowenstein.com](mailto:jsteele@lowenstein.com)

Michael J. Steiner, Esq.  
Severson & Werson  
One Embarcadero Center, Suite 2600  
San Francisco, CA 94111  
Telephone: 415-398-3344  
Facsimile: 415-956-0439  
[mjs@severson.com](mailto:mjs@severson.com)

Karol K. Denniston  
Jennifer L. Nassiri.  
DLA Piper US LLP  
550 S. Hope Street, Suite 2300  
Los Angeles, CA 90071  
Telephone: 213-330-7700  
Facsimile: 213-330-7701

John G. McJunkin  
J. David Folds  
DLA Piper US LLP  
1775 Wiehle Ave., Suite 400  
Reston, VA 20190-5159  
Telephone: 703-773-4000  
Facsimile: 703-773-5000

Bankruptcy Administration  
IKON Financial Services  
1738 Bass Road  
P.O. Box 13708  
Macon, GA 31208-3708  
Telephone: 478-405-4001

Sarah D. Moyed  
Bankruptcy Counsel  
U.S. Securities and Exchange Com'n  
5670 Wilshire Boulevard, 11th Floor  
Los Angeles, CA 90036-3648  
Telephone: 323-965-3896  
Facsimile: 323-965-4530  
[moyeds@sec.gov](mailto:moyeds@sec.gov)

Richard C. Hermerding  
OLIVO-CPA  
1376 North Fourth Street Suite 202  
San Jose, CA 95112  
Telephone: 408-441-6600  
Facsimile: 408-441-6601  
[Olivocpa@olivo.com](mailto:Olivocpa@olivo.com)